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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,927	11/13/2003	Gianfranco Stratico	AX/133	4817
1473	7590	12/17/2004	EXAMINER	
FISH & NEAVE LLP 1251 AVENUE OF THE AMERICAS 50TH FLOOR NEW YORK, NY 10020-1105			LANGDON, EVAN H	
			ART UNIT	PAPER NUMBER
			3654	

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/713,927	STRATICO ET AL.
	Examiner Evan H Langdon	Art Unit 3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-3,8,9,14-16,22,23 and 28 is/are rejected.
- 7) Claim(s) 4-7, 10-13, 17-21 and 24-27 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 5/27/04.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. ____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 8, 9, 14-16, 22, 23 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Kajita (2002/0047065 A1).

Kajita discloses an apparatus for disposing a wire lead W along a trajectory having predetermined positional references relative to a dynamo-electric machine component 1 comprising:

a wire lead source 32, 33;

a wire lead manipulator 11, 12, 13 having a longitudinal axis 13 comprising first 15 and second 15a portions and configured to dispose the wire lead along the trajectory at the predetermined positional references (as seen in Figure 1 and 7), the first portion 15 being configured to receive the wire lead from the wire lead source, the second portion 15a being configured to engage the wire lead received within the first portion 15; and

wherein a distal end of the wire lead manipulator exclusively enters a first plane in which the wire lead is to be disposed (dashed lines in Figure 1).

In regards to claim 2, Kajita discloses the first plane is substantially perpendicular to the longitudinal axis 13.

In regards to claim 3, Kajita discloses the distal end of the wire lead manipulator comprises a terminal end of the second portion 15a.

In regards to claim 8, Kajita discloses the wire lead manipulator is configured to be disposed adjacent a second plane from which the wire lead source dispenses the wire lead to receive the wire lead, the second plane being substantially parallel to the longitudinal axis (embodiment of Figure 8).

In regards to claim 9, the wire lead manipulator is pressed against the wire source to receive the wire.

In regards to claim 14, Kajita discloses the wire lead source 32, 33 is a wire dispensing needle configured to wind wire coils onto the dynamo-electric machine component.

With respect to claims 15, 16, 22, 23 and 28, the method described in these claims would inherently result from the use of wire manipulator of Kajita as advanced above.

Allowable Subject Matter

Claims 4-7, 10-13, 17-21 and 24-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ehl

 12/10/04
EMMANUEL MARCELO
PRIMARY EXAMINER